

2017 -- H 5734

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO CRIMINAL PROCEDURE - INDICTMENTS, INFORMATIONS AND
COMPLAINTS

Introduced By: Representative Anastasia P. Williams

Date Introduced: March 01, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 12-12-17 of the General Laws in Chapter 12-12 entitled
2 "Indictments, Informations and Complaints" is hereby amended to read as follows:

3 **12-12-17. Statute of limitations.**

4 (a) There shall be no statute of limitations for the following offenses: treason against the
5 state, any homicide, arson, first-degree arson, second-degree arson, third-degree arson, burglary,
6 counterfeiting, forgery, robbery, rape, first-degree sexual assault, [second-degree sexual assault](#),
7 first-degree child molestation sexual assault, second-degree child molestation sexual assault,
8 bigamy, manufacturing, selling, distribution, or possession with intent to manufacture, sell, or
9 distribute, a controlled substance under the Uniform Controlled Substance Act, chapter 28 of title
10 21, or any other offense for which the maximum penalty provided is life imprisonment.

11 (b) The statute of limitations for the following offenses shall be ten (10) years: larceny
12 under § 11-41-2 (receiving stolen goods), § 11-41-3 (embezzlement and fraudulent conversion), §
13 11-41-4 (obtaining property by false pretenses or personation), § 11-41-11 (embezzlement by
14 bank officer or employee), § 11-41-12 (fraudulent conversion by agent or factor), and § 11-41-13
15 (obtaining signature by false pretenses), or any larceny that is punishable as a felony; any
16 violation of chapter 7 of title 11 (bribery); any violation of § 11-18-1 (giving false document to
17 agent, employee, or public official); perjury; any violation of chapter 42 of title 11 (threats and
18 extortion); any violation of chapter 15 of title 7 (racketeer influenced and corrupt organizations);

1 any violation of chapter 57 of title 11 (racketeer violence); any violation of chapter 36 of title 6
2 (antitrust law); or any violation of § 11-68-2 (exploitation of an elder).

3 (c) The statute of limitations for any other criminal offense shall be three (3) years unless
4 a longer statute of limitations is otherwise provided for in the general laws.

5 (d) Any person who participates in any offense, either as a principal accessory or
6 conspirator, shall be subject to the same statute of limitations as if the person had committed the
7 substantive offense.

8 (e) The statute of limitations for any violation of chapter 18.9 of title 23 (refuse
9 disposal), chapter 19 of title 23 (solid waste management corporation), chapter 19.1 of title 23
10 (hazardous waste management), chapter 12 of title 46 (water pollution), and chapter 13 of title 46
11 (public drinking water supply) shall be seven (7) years from the time that the facts constituting
12 the offense or violation shall have become known to law enforcement authorities, unless a longer
13 statute of limitations is otherwise provided for in the general laws.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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- 1 This act would eliminate the statute of limitations for second-degree sexual assault.
- 2 This act would take effect upon passage.

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